

REMARKS

In the Advisory Action of July 31, 2006, the Office indicates that the after-final Amendment filed on June 20, 2006 will not be entered because the amendment allegedly raises new issues that would require further consideration and/or search, and the amendment allegedly issues of new matter. Applicant disagrees and requests entry of the after-final amendment based on the following comments.

No New Issues - Premature Finality

Applicant requested in the previous response that the amendment be entered and considered on the merits as the finality of the Office Action issued on March 21, 2006 was premature. However, the Advisory Action does not address this request.

As stated in MPEP §706.07(a), “second or any subsequent actions on the merits shall be final, except where the examiner introduces *a new ground of rejection* that is *neither necessitated by applicant’s amendment of the claims* nor based on information submitted in an information disclosure statement.” (Emphasis added.) As explained in the previous response, the Office issued the final Office Action based on new grounds of rejection (i.e., changed the basis of the rejection from being anticipated by Eto et al. to being obvious over Eto et al.) that was not necessitated by amendment.

Applicant respectfully submits that the minor changes made to the claims did not warrant a new ground of rejection as admitted by the Office. (See FOA: p. 4, para. 6; the Office does not indicate that the new grounds of rejection was necessitated by amendment.) As the §103 rejection based on Eto et al. is wholly a different ground of rejection that the §102 rejection

presented before, Applicant respectfully submits that the finality of the Office Action was premature. Accordingly, Applicant respectfully requests that the finality of the previous Office Action be withdrawn, the amendment entered, and the claims considered on the merits.

No New Matter Issues

The present application claims the benefit of the Korean patent application number 2000-79375 filed in Korea on December 20, 2000, the certified copy of which was filed on March 18, 2002. Due to inadvertent translational errors discovered during prosecution, Applicant filed a substitute specification in the last response together with a verified translation of the priority document. As explained in the previous response, the translational error occurred between original FIG. 7 of the priority document and FIG. 7 of the present application. Accordingly, as the amendment portions of the specification and claims are made merely to conform to the proper terminology of the certified priority document, Applicant respectfully submits that there is no issue of new matter.

CONCLUSION

In view of the foregoing, entry of the after-final amendment is earnestly solicited. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time

under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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